

REMARKS/ARGUMENTS

Favorable reconsideration of this application in light of the following discussion is respectfully requested. Claims 41-43 and 48-66 are presently pending in this application.

In the outstanding Office Action, Claims 41-43 and 48-66 were rejected under 35 U.S.C. 103(a) as unpatentable over Bieganski et al. (U.S. Patent No. 6,412,012) in view of Ishiguro et al. (U.S. Patent No. 6,807,641).

With regard to the above rejection, it is respectfully submitted that Ishiguro et al. are not a prior art with regard to any of the pending claims. As recognized from the official filing receipt, the present application is a 371 of PCT/JP00/07967 filed on November 10, 2000. Ishiguro et al. is a 371 of PCT/JP00/07475 filed on October 25, 2000, which is before November 29, 2000, having a § 371(c)(1), (2), (4) date of June 25, 2001 (i.e., a 102(e) date) and a PCT publication date of May 3, 2001 (i.e., a 102(a), (b) date). The domestic priority date (November 10, 2000) of the present application is earlier than the PCT publication date (May 3, 2001) and the § 371(c)(1), (2), (4) date (June 25, 2001) of Ishiguro et al.

Therefore, Applicants respectfully request that Ishiguro et al. be determined to not be a prior art reference and that the 35 U.S.C. §103(a) rejection based on Bieganski et al. in view of Ishiguro et al. be withdrawn.

Consequently, in view of the present amendment, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

BDL/HY
I:\ATTY\HY\27S\275730\275730 AME.DOC